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| FORM PTO-1390 (Modified)<br>(REV 11-2000)  |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE |  | ATTORNEY'S DOCKET NUMBER<br><b>L9289.01170</b>                 |  |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371   |  |   |  | U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR<br><b>09/913503</b> |  |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/JP00/09004</b>   |  | INTERNATIONAL FILING DATE<br><b>December 19, 2000</b>   |  | PRIORITY DATE CLAIMED<br><b>December 28, 1999</b>              |  |
| TITLE OF INVENTION<br><b>BASE STATION APPARATUS AND TRANSMISSION POWER CONTROL METHOD</b>  |  |   |  |  |  |
| APPLICANT(S) FOR DO/EO/US<br><b>Toshiyuki UEHARA, Toyoki UE<br/>Atsushi SUMASU, Osamu KATO and Mitsuru UESUGI</b>  |  |   |  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |   |  |  |  |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> <p><b>Items 13 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>22. <input type="checkbox"/> Certificate of Mailing by Express Mail</li> <li>23. <input checked="" type="checkbox"/> Other items or information:</li> </ol> <p><b>Claim for Priority with PCT/IB/304<br/>PCT/IB/308<br/>PCT/RO/101</b></p> |  |   |  |  |  |

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| U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53)<br><b>09/913503</b> |  | INTERNATIONAL APPLICATION NO.<br><b>PCT/JP00/09004</b> |  | ATTORNEY'S DOCKET NUMBER<br><b>L9289.01170</b> |  |
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24. The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... **\$1000.00**

☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... **\$860.00**

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... **\$710.00**

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$690.00**

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of \$130.00 for furnishing the oath or declaration later than \_\_\_\_\_ months from the earliest claimed priority date (37 CFR 1.492 (e)). ☐ 20 ☐ 30

| CLAIMS  | NUMBER FILED | NUMBER EXTRA | RATE      |                           |
|---|--------------|--------------|-----------|---------------------------|
| Total claims  | 10 - 20 =    | 0            | x \$18.00 | <b>\$0.00</b>             |
| Independent claims  | 3 - 3 =      | 0            | x \$80.00 | <b>\$0.00</b>             |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>  |              |              |           | <b>\$0.00</b>             |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |              |           | <b>\$860.00</b>           |
| <input type="checkbox"/> Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.  |              |              |           | <b>\$0.00</b>             |
| <b>SUBTOTAL =</b>   |              |              |           | <b>\$860.00</b>           |
| Processing fee of \$130.00 for furnishing the English translation later than _____ months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 + |              |              |           | <b>\$0.00</b>             |
| <b>TOTAL NATIONAL FEE =</b>   |              |              |           | <b>\$860.00</b>           |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input checked="" type="checkbox"/>     |              |              |           | <b>\$40.00</b>            |
| <b>TOTAL FEES ENCLOSED =</b>  |              |              |           | <b>\$900.00</b>           |
|   |              |              |           | Amount to be: refunded \$ |
|   |              |              |           | charged \$                |

**CALCULATIONS PTO USE ONLY**

a. ☒ A check in the amount of \$900.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-4375. A duplicate copy of this sheet is enclosed.

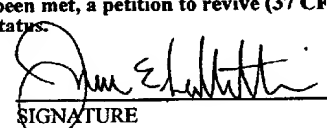
d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

**James E. Ledbetter, Esq.**  
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 Washington, DC 20036  
 Tel.: (202) 785-0100  
 Fax: (202) 408-5200

  
 SIGNATURE

**James E. Ledbetter, Esq.**  
 NAME

**28,732**  
 REGISTRATION NUMBER

**August 15, 2001**  
 DATE